



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,483	06/19/2003	Marc Benkert	03292.200460.1	6330
66569 7590 07/07/2009 FITZPATRICK CELLA (AMEX) 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
GOTTSCHEK, MARTIN A				
ART UNIT		PAPER NUMBER		
3696				
MAIL DATE		DELIVERY MODE		
07/07/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/600,483

Applicant(s)

BENKERT ET AL.

Examiner

MARTIN A. GOTTSCHALK

Art Unit

3696

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/27/2009.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 9-23 and 41-61 is/are pending in the application.
- 4a) Of the above claim(s) 41-61 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 9-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. Claims 1-4 and 9-23 have been examined. Claims 41-61 are withdrawn. Claims 5-8 and 24-40 are cancelled.

Election/Restrictions

2. Applicant's election without traverse of claims 1-4 and 9-23 in the reply filed on 04/27/2009 is acknowledged.

Claim Rejections - 35 USC § 112

3. The rejections under this section from the previous Office Action on the Merits are hereby withdrawn.

Claim Rejections - 35 USC § 101

4. The rejections under this section from the previous Office Action on the Merits are hereby withdrawn.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3696

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4, 9-23, and 41-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Solokl et al (US Pat# 6,173,269).

As per claim 1, Solokl teaches a method for administering a subsidiary account, the method being performed by a computer and comprising the steps of:

receiving, from a parent system, a request to establish a subsidiary account associated with a parent account defining a subsidiary account spending capacity based on a currency of a first country (Solokl: col 4, lns 12-21; lns 35-41; col 8, lns 55-65);

determining an exchange rate corresponding to the currency of the first country and a currency of a second country distinct from the first country (Solokl: col 9, lns 54-56);

determining, by the parent system, an effective time period associated with the exchange rate (Solokl: col 5, lns 60-66, i.e. the exchange rate is only effective as long as the service is on the "approved list."; col 8, lns 62-65; col 9, lns 19-24, "daily/weekly spending limits");

and

storing, in a database,

a subsidiary account identifier (Solokl: col 6, Ins 16-50),

the exchange rate (Solokl: col 9, Ins 54-56),

and

the effective time period (Solokl: col 5, Ins 60-66; col 9, Ins 19-24, i.e.
"daily/weekly spending limits"),

wherein purchases made using the subsidiary account are limited by the
subsidiary account spending capacity (Solokl: col 9, Ins 19-24, i.e. "daily/weekly
spending limits"),

and

wherein, during the effective time period, purchases made using the subsidiary
account in the currency of the second country are converted into the currency of

the first country according to the exchange rate (Solokl: col 9, Ins 54-56).

As per claim 2, Solokl teaches a method according to claim 1, wherein the parent account is established by a first institution and the subsidiary account is at least partially maintained by said second institution (Solokl: col 5, Ins 33-46; col 10, Ins 3-6).

As per claim 3, Solokl teaches the method of claim 2, wherein the second institution is situated in a location remote from the first institution (Solokl: col 5, Ins 33-46; col 10, Ins 3-6).

As per claim 4, Solokl teaches the method of claim 2, wherein the second institution is situated in a country that is different from the country of the first institution (Solokl: col 9, Ins 54-56).

As per claim 9, Solokl teaches the method of claim 1 further comprising the step of modifying the subsidiary account spending capacity in response to a request from the parent system. (Solokl: col 9, Ins 17-25).

As per claim 10, Solokl teaches the method of claim 9, further comprising the step of modifying the parent spending power based on a modification of the subsidiary account spending capacity (Solokl: col 9, Ins 16-24).

As per claim 11, Solokl teaches the method of claim 1, further comprising the step of determining a parent account spending power for the parent account and the subsidiary account spending capacity for the subsidiary account in accordance with a predetermined set of rules (Solokl: col 6, lns 63-66; col 9, lns 16-24).

As per claim 12, Solokl teaches the method of claim 1, further comprising the step of tracking spending incurred using the subsidiary account (Solokl: col 6, lns 35-49).

As per claim 13, Solokl teaches the method of claim 1, further comprising the step of limiting total spending incurred using the subsidiary account (Solokl: col 9, lns 16-24).

As per claim 14, Solokl teaches the method of claim 1, further comprising the step of limiting spending incurred using the subsidiary account for a specific class of goods or services (Solokl: col 6, lns 6-8).

As per claim 15, Solokl teaches the method of claim 1, further comprising the step of limiting spending incurred using the subsidiary account at a specific class of merchants (Solokl: col 6, lns 1-3).

As per claim 16, Solokl teaches the method of claim 1, further comprising the step of limiting spending incurred using the subsidiary account at a specific merchant (Solokl: col 6, lns 1-3).

As per claim 17, Solokl teaches the method of claim 1, further comprising the step of enforcing specific restrictions against the subsidiary account, wherein the specific restrictions exist to condition the use of the parent account (Solokl: col 8, Ins 13-15).

As per claim 18, Solokl teaches the method of claim 1, further comprising the step of accommodating an emergency transaction account (Solokl: col 9, Ins 25-30).

As per claim 19, Solokl teaches the method of claim 1, further comprising the step of generating a statement for the subsidiary account (Solokl: col 6, Ins 35-39).

As per claim 20, Solokl teaches the method of claim 1, further comprising the step of generating a statement for the parent account (Solokl: col 6, Ins 1-3).

As per claim 21, Solokl teaches the method of claim 1, further comprising the step of terminating the subsidiary account in response to a request from the parent system (Solokl: col 9, Ins 19-24).

As per claim 22, Solokl teaches the method of claim 1, wherein the subsidiary account is configured to carry-over spending capacity from one cycle to the next (Solokl: col 8, Ins 55-65).

As per claim 23, Solokl teaches the method of claim 1, wherein the subsidiary account is configured to prevent carry-over of spending capacity from one cycle to the next (Solokl: col 8, lns 55-65).

Response to Arguments

7. Arguments pertain only to amended claims thus Applicant is referred to the citations and explanations provided above in the rejections of the claims.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARTIN A. GOTTSCHALK whose telephone number is (571)272-7030. The examiner can normally be reached on Mon - Fri 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Martin A. Gottschalk/
Examiner, Art Unit 3696

/Ella Colbert/
Primary Examiner, Art Unit 3696